

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

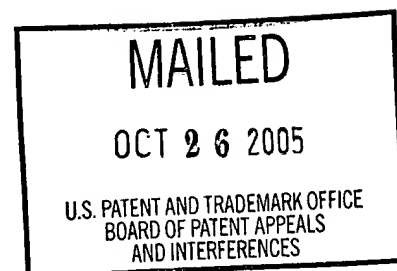
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Ex parte RICHARD F. SELDEN,  
ALLAN M. MILLER, and  
DOUGLAS A. TRECO

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Application No. 09/686,497

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was electronically received at the Board of Patent Appeals and Interferences on December 28, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

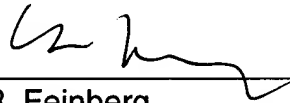
The section "References of Record" is missing from the Examiner's Answer mailed August 19, 2004. See Manual of Patent Examining Procedure (MPEP) § 1208 (A)(9) (8<sup>th</sup> Ed. Rev. 2, May 2004). Appropriate correction is required.

Accordingly, it is

ORDERED that the application is returned to the examiner to

- (1) submit a revised Examiner's Answer which includes the missing "References of Record" section as required by MPEP § 1208;
- (2) written notification to appellants;
- (3) have a complete copy of the substitute Examiner's Answer scanned into the record; and
- (4) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES



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